IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE JURISDICTION

WRIT PETITION NO. 7678 OF 2005.

Shri Kamlakar Gajanan Naik .. Petitioner

V/s.

Shrinivas Bhaskar Ullal ... Respondents.

Shri D.B. Parab for the petitioner.

CORAM : V.C.DAGA, J.

DATED 23.11.2005.

P.C. :

. Petitioner- original tenant was directed to deposit arrears of rent quantified in the sum of Rs.24,318/- by the Small Causes Court, Bombay, vide its order dated 6.8.2003. Petitioner did not challenge the said order. On the contrary, he applied for permission to pay the arrears of rent in instalments. That application came to be rejected by the impugned order dated 21.7.2005. Since the original order dated 6.8.2003, by which petitioner was directed to deposit arrears of rent, is not the subject matter of challenge in this petition, grievance against that order cannot be entertained.

2. Granting facility to deposit arrears of rent in instalment is a discretionary; which the Court below has exercised rightly. No case is made out to interfere with the impugned order. Petition is thus, dismissed in limine with no order as to costs.